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State of California by and through California
Highway Patrol and Officer Ramon Silva

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SANDRA KIRKMAN AND
CARLOS ALANIZ,
INDIVIDUALLY AND AS
SUCCESSORS-IN-INTEREST TO
JOHN ALANIZ, DECEASED,

Plaintiff,

v.

STATE OF CALIFORNIA;
RAMON SILVA; AND DOES 1-10,
INCLUSIVE,

Defendant.

Case No.: 2:23-cv-07532-DMG-SSC

**DEFENDANTS' PROPOSED
SPECIAL VERDICT**

Courtroom: 8C
Judge: Hon. Dolly M. Gee

FPTC: March 25, 2025, 2:00 p.m.

Trial Date: April 15, 2025, 8:30 a.m.

FOURTH AMENDMENT EXCESSIVE FORCE

Question No. 1: Did Officer Silva use excessive or unreasonable force
against John Alaniz?

YES _____ NO _____

If you answered "YES" to Question No. 1, please proceed to Question No.
2.

1 If you answered “NO” to Question No. 1, please proceed to Question No. 8.

2
3 **Question No. 2:** Was Officer Silva’s use of excessive or unreasonable
4 force a cause of injury, harm, damage or death to John Alaniz?

5
6 YES _____ NO _____

7
8 Please proceed to Question No. 3.

9
10 **BATTERY**

11
12 **Question No. 3:** Did Officer Silva intentionally use excessive or
13 unreasonable force against John Alaniz?

14
15 YES _____ NO _____

16
17 If you answered “YES” to Question No. 3, please proceed to Question No.
18 4.

19 If you answered “NO” to Question No. 3, please proceed to Question No. 5.

20
21 **Question No. 4:** Was Officer Silva’s intentional use of excessive or
22 unreasonable force against John Alaniz a substantial factor in causing his death?

23
24 YES _____ NO _____

25
26 Please proceed to Question No. 5.

27 ///

28 ///

BANE ACT

Question No. 5: Did Officer Silva act violently against John Alaniz?

YES _____ NO _____

If you answered “YES” to Question No. 5, please proceed to Question No. 6.

If you answered “NO” to Question No. 5, skip to Question No. 7.

Question No. 6: Did Officer Silva commit these acts of violence against John Alaniz to prevent him from exercising his right to be free from excessive force under the Fourth Amendment?

YES _____ NO _____

If you answered “YES” to Question No. 6, please proceed to Question No. 7.

If you answered “NO” to Question No. 6, please proceed to Question No. 8.

Question No. 7: Was Officer Silva’s conduct a substantial factor in causing harm to John Alaniz?

YES _____ NO _____

Please proceed to Question No. 8.

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NEGLIGENCE

Question No. 8: Did Officer Silva negligently use deadly force against John Alaniz?

YES _____ NO _____

If you answered "YES" to Question No. 8, please proceed to Question No. 9.

If you answered "NO" to Question No. 8, please proceed to the Damages section below.

Question No. 9: Was Officer Silva's negligent use of deadly force a substantial factor in causing of John Alaniz's death?

YES _____ NO _____

Please proceed to Question No. 10.

Question No. 10: Was John Alaniz negligent?

YES _____ NO _____

If you answered "YES" to Question No. 10, please proceed to Question No. 11.

If you answered "NO" to Question No. 10, please proceed to the Damages section below.

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Question No. 11: Was John Alaniz's negligence a substantial factor in causing his death?

YES _____ NO _____

If you answered "YES" to Question No. 11, please proceed to Question No. 12.

If you answered "NO" to Question No. 11, please proceed to the Damages section below.

Question No. 12: What percentage of negligence that was the cause of John Alaniz's death do you assign to Officer Silva, and what percentage of negligence that was a cause of John Alaniz's death do you assign to John Alaniz:

Officer Silva: _____

John Alaniz: _____

(Your total must equal 100%)

Please proceed to the Damages section below.

DAMAGES

If you did not answer "YES" to any of Question Nos. 2, 4, 7 and 9, please sign and return this verdict form.

If you answered "YES", to any of Questions Nos. 2, 4, 7 and 9, please answer Question No. 13.

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Question No. 13: What are John Alaniz's damages?

Pre-death pain and suffering: \$_____.

Loss of life: \$_____ (Only provide an amount if you answered "YES" to Question No. 2).

If you did not answer "YES" to any of Question Nos. 4, 6 or 7, please sign this verdict form and return it to the Court.

If you answered "YES" to any of Question Nos. 4, 6 or 7, please answer Question No. 14.

Question No. 14: What are Sandra Kirkman and Carlos Alaniz's damages for the death of John Alaniz?

A. Funeral and burial expenses: \$_____.

B. The loss of John Alaniz's love, companionship, comfort, care, assistance, society and moral support from March 4, 2022 to the present: \$_____.

C. The loss of John Alaniz's love, companionship, comfort, care, assistance, society and moral support from today forward: \$_____.

Please sign and date this verdict form and return it to the Court.

Dated: _____

Jury Foreperson